Information Disclosure Statement

According to the Office Action Summary, the Examiner indicated that the initialed PTO/SB/08 filed with the Information Disclosure Statement on December 27, 2001 (paper no. 4) was attached to the Office Action. However, Applicants did not receive an initialed copy with the Office Action. Applicants respectfully request an initialed copy of the PTO/SB/08 from the Examiner with the next paper from the office.

Drawings

The Examiner is respectfully requested to indicate approval of the drawings filed with the Application on December 27, 2001.

Claims Rejections

Claims 1-3, 9-12 and 16-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Attal (USP 5,860,010).

Claims 4, 5 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Attal (USP 5,860,010) in view of King (USP 6,587,122).

Claims 6, 13 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Attal (USP 5,860,010) in view of Dan et al. (USP 6,148,290).

Claims 7, 8, 14, 15, 23 and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Attal (USP 5,860,010) in view of Judge et al. (USP 6,430,570).

For the reasons set forth below, Applicant respectfully traverses the rejections and requests favorable disposition of the application. Additionally, it is noted that the European

Patent Office (EPO) has granted allowance based on the claims of the PCT application

corresponding to the present application.

Argument

The present application discloses and claims a system for transmitting data between a

local data processing device and a remote data processing device through an asynchronous

transmission channel *for use with distributed objects in the field of automation technology*. For

an *identification* or *synchronization* of response data at least one *predefinable parameter*

provided for identifying the call of a first program sent to a second program is stored in the local

data processing device. *The predefinable parameter is integrated into the response data*, which

is returned by the remote data processing device to the local data processing device and is

detected again in the local data processing device. This ensures simple identification and

synchronization of the response data in the user program of the local data processing device.

Attal does not disclose the above features as set forth in the claims.

In particular, Attal refers to <u>a method of using a language using lists</u> comprising the steps

of creating direct <u>symmetrical</u> communication in accordance with <u>executable messages which</u>

<u>convey a code</u> to be executed, simultaneously identifying functions to be applied and the data to

which said functions must be applied, which are asynchronous messages sent through the

network management system in a free format <u>from an interpreter of said language</u> in one

<u>machine to another interpreter of said language in another machine.</u> (See, e.g., Attal at col. 20,

lines 49-61). The above processes of Attal create a symmetrical cooperative network of

interpreters having a load which is dynamically balanced between the different machines. (See,

e.g., Attal at col. 21, lines 1-3). Unlike the claimed invention, Attal is not related at all to the

technical field of automation technology.

Moreover, the claimed invention does not make use of any interpreters of a certain

language. Attal does not deal with sending messages from a local to a remote data processing

device. The teaching of Attal is to use a special type of language with executable messages

which convey a code to be executed. This is completely different than the teaching of the

present invention, which is to integrate a predefinable parameter into a call sent by a first

program of the local data processing device to a second program of the remote data processing

device and to integrate this parameter also into the response data sent by the remote data

processing device to the local data processing device.

All of the claims of the present application recite, *inter alia*, either a means for, or the

method of, <u>integrating the predefinable parameter into response data sent by the remote data</u>

<u>processing device to the local data processing device.</u> As discussed above, Attal fails to disclose

this feature. The Examiner asserts that Attal discloses this feature at col. 1, lines 40-59.

Applicant respectfully disagrees with the Examiner and submits that the cited passage of Attal

fails to meet the requirements of the claims. Specifically, the cited passage in Attal, i.e., a

section of Attal describing several problems with the general notion of remote procedure calls

(RPCs), merely discloses that server programs "define the functions that can be called with a list

or a description of parameters, and these parameters are transmitted remotely from the client to

the server." The passage goes on to point out that this type of conventional RPC is problematic in

that it is "not possible to completely send the contents of a transaction to a transactional server

and then retrieve the results from it." (Attal, col. 1, lines 47-49). Attal does not anywhere, specifically not within the passage cited, disclose integrating a predefinable parameter, a parameter that identifies a call, into data sent in response to that call, as explicitly required by each of independent claims 1, 11 and 18, and all claims dependent thereon.

Accordingly, at least because Attal fails to disclose all of the recited features of the claims, as discussed above, Attal does not and can not anticipate any of the claims of the present application. Accordingly, the rejection of claims 1-3, 9-12 and 16-20 should be withdrawn.

Furthermore, because none of the other prior art references of record compensate for the deficiency of Attal discussed above, none of the asserted prior art references, either alone or in combination with Attal, render the claims unpatentable. For at least this reason, the rejection of claims 4-8, 13-15 and 21-24 should be withdrawn as well.
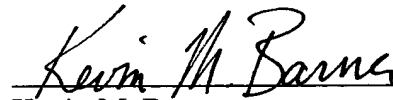
Conclusion

In view of the foregoing remarks, the application is believed to be in form for immediate allowance with claims 1-24, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to **contact the undersigned** at the telephone number listed below.

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/026,553

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: April 14, 2004   Attorney Docket No.: Q67543